

Silver Spring Urban District Committee

Meeting Minutes

June 15, 2006

Members Present: Charles Atwell, Tom Collins, Barbara Henry, Bob Middleton, and Anne Miller

Members Absent: Edward Baca-Asher, Genny Hardesty, and Bryant Foulger

Guest: Jane Redicker, Heidi Metzger, Lt. Michael Wahl, and Mitch Cunningham

Staff: Gary Stith, Vicki Lockerman, Susan Hoffmann, Jerry Sanford, and Lu Wilson

Welcome/Introductions – Tom Collins, Chair, called the meeting to order at 3:30 p.m.

Farewell Comments

Charles Atwell thanked Tom Collins, Chair of the Urban District Advisory Committee for the wonderful work as he steps down as Chair and member of the Committee. Charles Atwell stated that Tom has done a great job and he appreciated his leadership on the Urban District Advisory Committee and his active role in downtown Silver Spring and his Company's role.

Bob Middleton echoed Tom's farewell and Charles Atwell's accolades to Tom. Tom and I joined the Committee around the same time and I think we, along with Charles Atwell brought a little enthusiasm to the committee that was not consistent. We brought a level of consistency and solid attendance. You have been an excellent Chair and I wish you well.

Gary Stith thanked Anne Miller and Tom Collins for being members of the Committee and presented them with a Certificate from the County Executive for their service on the Urban District Advisory Committee and each received a gift of appreciation.

Approval of Minutes:

Discussion

Bob Middleton stated that the minutes of May were insufficient and attributes this to the recording equipment and wanted to know if there is anyway we can purchase new updated recording equipment for the Committee's use.

Gary Stith stated that perhaps there should be a discussion regarding the Urban District Advisory Board's expectation of the minutes.

Bob Middleton stated that the minutes could be either verbatim or summary form but thought the May minutes bordered on both and that it should be one way or the other in a form that is representative of the Committee member's views and going out to the public. I would welcome a discussion with Gary Stith and other Committee members who might like to touch base on an

appropriate format for the minutes. There are too many inconsistency and errors in these minutes and therefore I cannot vote.

Charles Atwell stated that perhaps the Committee needs to understand what the expectation of the County is on providing minutes and see the format of the other two Urban Districts. This would be worthwhile to the extent that the new Chair would want to have this under the Director's Report so we can have a full Committee discussion. I think it is important to capture the different issues we have in downtown Silver Spring and the different Committee member's views so as we go forward and need to retrace our steps in some areas we can. This has been evidence in a couple of issue we tried to look back on some things and had some challenges in retracing the history that is important and agree either it should be one way or the other.

Motion: (Miller, Atwell) after discussion the Silver Spring Urban District Advisory Committee approved the May 2006 minutes as amended error on Chair's Report SILVERDOCS starts on June 13th. *(I opposed)*

Chairs Report

Tom Collins reported that:

- Ex-Vice President Al Gore is speaking today in Silver Spring, Director Martin Scorsese, will be here this evening. The Star Walk is going to start this evening which is another Arts and Entertainment attraction to Silver Spring and there is an outdoor concert and outdoor movie also this evening so as you can see we are having a lot of events. Four years ago none of these things were happening and certainly the work of this Committee, the Urban District, Regional Center along with the Police, DPWT, and community stakeholders like the Chamber and local civic associations are a great example of what can happen when people get together and work for a common goal and wouldn't it be great if other places in the world would learn the lessons that we have in the last few years.

Tom Collins thanked everyone for the kind words and wished the Committee good luck in moving forward.

Police Report

Mitch Cunningham reported that:

- SILVERDOCS is well underway so we have more Police staff in place along with the Urban District staff and others.
- Assistant Chief Bill O'Toole will be leaving the Department at the end of June to take a position with the Northern Virginia Criminal Justice Academy.
- Former 3rd District Commander Drew Tracey has been nominated and his nomination is before County Council to be considered as the new Assistant Chief for Management Services Bureau. Commander Tracey is a man that is a leader with energy, vision, and dedication so the Department and community are well serviced.
- We have had problems with robberies but have figured out who is responsible for much of the trend and have a crime response team in place that has identified the suspects and most have been arrested. Since the arrests we have not had a lot of reoccurrences in robberies so we need to continue being vigilante on the situation.

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- We are shifting our focus to the Piney Branch area where another robbery trend continues.
- If you read the paper, District of Columbia robberies are up and Chief Charles Ramsey described the Juvenile Justice System in the paper as a joke and is seeking legislation to give more information to the Police about juveniles.
- What goes on in DC has a huge impact on the health, welfare and safety of the people in this community. The good news is robbery trend in the CBD seems to have curtailed.
- There was an article in the paper and the writer wanted to know why the Police are making more arrest for drugs than for robberies? The reason is we are very focused on proactive policing and when we make an arrest often for drugs and on occasion it is with guns, what we are really making is a future robbery arrest in some cases. We are pleased with all the drug arrest and those drug arrests also send a message to folks that are probing this community in particular for vulnerabilities to commit crime.
- We have enforcement down at Ripley Street. There have been abandon cars, and the homeless from Progress Place going inside the cars so we have had code enforcement come out and they notified the owner that either the cars have to be moved or there has to be a work order that they are being repaired.
- We are focusing on graffiti around Salem Road.
- Thanks to Lt. Mike Wahl for bringing Don Scheuerman to one of our Sector meetings where all of our officers got a change to hear about the transit center and begin thinking about the impact that it will have on staffing, response and our responsibilities as it relates to the construction and later the protection of the transit center.

Discussion

Charles Atwell asked Mitch Cunningham if Don Scheuerman had discussed the interim use of the streets with the Police officers in terms of the buses etc., so that your staff will be aware of the transition because that will be more of a challenge in the short term dealing with not only traffic but safety in terms of pedestrians and keeping criminals out.

Mitch Cunningham responded yes. We are aware of this and will continue to feel our way along where we need to be and when. The other thing that is really important to me is that we get brought into discussion about video surveillance as a permanent and integral part of security for that site. It would be a blunder on County Government's part if we allow a facility of this magnitude to be built without video surveillance. Video surveillance is what we are doing now in law enforcement in 2006 and beyond. It is really critical that we get video surveillance as another layer of security. Crime comes from public transportation and people use the Metro to come to Silver Spring to commit crime and this is a true fact and we would not be responsible if we don't use effective means in security for new facilities.

Charles Atwell asked about Mitch Cunningham's reference to the District of Columbia and the juveniles where the arrest made for the robberies around the Silver Spring metro juveniles.

Mitch Cunningham responded no and that the juveniles were actually from an adjacent community in Montgomery County.

Charles Atwell asked Mitch Cunningham if there had been any additional situations on Ellsworth or Ellsworth and Fenton.

Mitch Cunningham stated that no additional situations have occurred on Ellsworth. We have additional foot detail in the area and using a variety of resources and overtime money to be right at the corner of Ellsworth and Fenton Street. Some weeks there are a lot of people in the area but we have a police detail there that is visible. There was an incident where a fight broke out but our officers were right there to stop it. We have talked with our officers about walking a line of prohibiting incidents without being overly aggressive. We want to move people along and have gotten agency status throughout the Peterson property. We are working on getting the people in the right places, right times and right amounts and using the appropriate tools, regulations and laws to enforce accordingly.

Charles Atwell asked Mitch Cunningham and Gary Stith whether there was an ongoing effort to coordinate efforts with the Police, County and Community Ministries in terms of the comings and goings at Progress Place.

Mitch Cunningham responded yes we are having ongoing communication with them. We were doing more last year than in previous years when there were some problems but are we communicating with them as much as we had, the answer is no. Our focus has been less around crime that has occurred at Progress Place and more in the adjacent area. We are doing what we need to off of Ripley where there has been some CDS usage and distribution so I feel that we are dealing and getting support as needed.

Bob Middleton thanked Mitch Cunningham and the other officers for the increase vigilance around the McDonalds area at Colesville and Second Avenue. For the last six months I have harped on that area from a drug standpoint and I think the heightened police presence has really helped out so thanks on behalf of my observations to what has happen.

Tom Collins asked if the arrest on the robberies did it come from tips or how did that come to fruition.

Mitch Cunningham responded that it was a good job by our midnight officer. We sometimes put midnight officers in unmarked vehicles and two Officers were working in that capacity arrested and locked up two folks that lead to our Detective doing the follow-up on the case and interviewing them and because of this process we identified more suspects. We had another incident which lead to more arrest and information from them kind of portrayed what was going on, who was doing it and where they were so since we have been enforcing we have not seen the reappearance of them.

Tom Collins stated that the Silver Spring Chamber of Commerce gives out quarterly awards and perhaps they could give an award in this case.

Mitch Cunningham stated that there are actually two people this quarter that will receive an award.

Tom Collins commented that Officer Burset frequently works at Ellsworth and Fenton on his motorcycle and does a good job on that beat. You were talking about that fine line and in my opinion he is really good at common sense and has a very authoritative demeanor. So as a citizen this is a very welcome sight to see that area manned by that officer.

Park and Planning Public Use Space and Amenities

John Carter and Glenn Kreger, Park and Planning reported the following:

- Minimum lot size to qualify for optional method has changed from 22,000 to 18,000 and allows more projects to go forward with the optional method and that is where you get the public use space through the optional method process. The pros and cons are that it still focuses the development toward the center of all of Central Business Districts as opposed to the edges because the edges are the places with the smaller lot sizes occur so that is one change and you should see more optional method projects.
- There was a change in the affordable housing law that will allow you to aggregate public use space so this is the notion of developers getting together and providing larger public use space and that has passed and applies to all four Central Business Districts, Bethesda, Friendship Heights, Silver Spring, and Wheaton.
- We just did the Woodmont Triangle amendment in Bethesda which in many ways copied what we did a few years ago in Silver Spring in the overlay zones. In the Bethesda area within the Woodmont Triangle area that has housing and retail, it loosens up the requirements as well, not just for affordable housing but you can now amass your public use space and either combine with several developers or combine with the County you are allowed to move your public use space around and it does not have to be on your lot. You can also change your density at least in the Bethesda example two property owners could get together and have an existing business and the existing business could transfer their density to another site which is part of a retail preservation technique.
- An example of two developers getting together is at the Bethesda Metro Center who had a public plaza that goes across both properties so Clark said if you use a portion of our land we will give Kay Developer money to have it built all at once.
- There is the public use space which is 20% of your lot and then there is the amenity space which is a separate requirement and that relates to how much density you get. The public use space has to be on the lot not on a public right-of-way and not on a park but the amenity space can be wherever you want it to be. In the past it has been streetscape to make a better connection to Metro but now we have an amenity fund so instead of doing the extra public amenity space you can donate funds.
- The minimum for public use is 20 percent and we usually get a lot more than that and it varies according to how much benefit the developers get in the optional method but typically it is approximately 48 percent so a couple of projects have come in lately such as the Adele and 8021 Georgia where they were really pushed in terms of providing public use space it really made the bare minimum literally 20% but since they are

getting a lot of benefit from optional method there is no way we would be getting 48 percent and not 20 percent. They made up the difference by contributing to the fund which would be use to provide park land or park improvements elsewhere in the CBD so that money will be kept in a special account.

- In the Woodmont Triangle there are some public arts facilities and in the plan we have actually spelled out what the facilities might be so to the extent there are funds that would go to those specific facilities you might consider doing that in Silver Spring probably not part of a Sector Plan but we can do it more informally outside the Sector Plan.
- The incentive zoning tool is a very special thing and it only applies to the four Central Business Districts. Incentive Zoning came about in the 60s and early 70s mostly in big cities such as New York and Seattle. In these areas the incentive is spelled out. For example, if you have a covered arcaded you get two more floors on your building. What happen in Midtown was they gave a bonus for sunken plaza we don't do it that way here. There is a review process here that determines what is appropriate for each individual site so we determine the package of amenities and facilities on each case separately and that is the subjectivity and the Planning Board is the check and balance.

Discussion

Tom Collins asked about the concept of the pocket parks and how that is applied to new development because there are three or four in a row and you say what is the amenity on the site and their is a little park.

John Carter responded that now we have more tools that allows the transfer of public use space down the street. Another challenge will be to get two or three developers to work together to make this work

Gary Stith stated that John Carter talked about them having this fund and that you have worked with developers in terms of amenity packages how can this Committee get involved with what kinds of amenity the community would like to see and make recommendation on the use of the park?

John Carter stated that the Committee might consider doing like the Woodmont Triangle folks did and put in there Sector Plan a priority list of things they would like to see.

Glenn Kreger stated more often than not developers will come in and talk with staff about the site, what their thoughts are before they spend money on engineering and ask what we are looking for and is this consistent with the Sector Plan and we have a check list and it ranges from historic site on property to green building and providing affordable housing. We cannot make them do something but we can encourage them.

Charles Atwell asked what the balance was in the Silver Spring Fund for the amenity fund.

Glenn Kreger responded probably zero. The two projects that have made that commitment were just recently approved.

Charles Atwell asked about the experience in Bethesda in terms of the contribution to the fund is there a regulation.

John Carter responded that Park and Planning is to report to Council in the fall on what we will use the amenity fund for and how would you determine what it should be. We should be very careful about the amenity fund because the first priority should be building stuff and that is why I mentioned the Birchmere.

Charles Atwell stated he was trying to understand how you negotiate. If the developer building the Adele wants to negotiate and said I want this and in return I am going to give you this how do I figure out what I am going to give you or what you are requesting?

Glenn Kreger responded that the information will actually be described in the staff report and site plan for 8021 Georgia Avenue. We keep a running tally of what we get from project to project and there has been a lot of projects over the years and particular recent years so we sort of know what we can expect on an average from optional method projects from an amenity and public space perspective. Normally it is not the 20% minimum it is more like 48% to 49 percent so we will say you are only providing 20% we would be expecting another 20% or whatever the number is and if you are not providing it we would assume for the moment that if you were going to provide that for streetscaping that amount of area X square feet and did streetscaping to satisfy a requirement at X dollars a foot that would be so much and that is what you will owe us in addition because you are not actually providing and that's how the numbers were calculated.

Charles Atwell asked when Park and Planning Staff report was due.

Glenn Kreger stated he was sure it was being written but knew that 8021 was coming up in July to the Planning Board

Charles Atwell asked about the long-term protocol and process and how you watch over it and distribute it long-term so I share the Commission's and Council's interest in that and hope my colleagues do as well.

Gary Stith stated that the Planning Board has the final decision on the expenditures of those funds because the funds go to the Planning Board.

Glenn Kreger stated the Board asked what happens with this money and we responded that when come up with CIP Projects in Silver Spring we take that money and apply to a specific project.

Barbara Henry stated that the discussion has been about CIP Projects but aren't these private dollars and I think one of the things we have been thinking about is how do you leverage private dollars to do things that benefit the community but are not controlled by the

Government. For instance if we wanted to support the expansion of an arts organization that is not a CIP Project that is a private amenity that has potential to benefit the community so for instance if we want to support the Birchmere that is not a CIP Project

Glenn Kreger responded that the Board in their approval over those contributions in addition to the basic public use space on site those additions are explicit and the money must be spent on property acquisition or property improvements as a CIP Project. To satisfy public use requirement they have to provide at least 20% on-site and sometimes the rest get satisfied through contribution.

Barbara Henry stated she was trying to figure out what the latitude of public space is so let's say the community where to decide they wanted a venue so a number of arts related non-profits space to operate, galleries and offices so now we have to convince Park and Planning and lobby to Council. How would we access the dollars as a community for something we actually wanted to do?

John Carter stated that when an application is received to a specific thing. For example the community wanted a Black Box Theatre in Bethesda so the project comes in and dollars would be targeted toward that project and the other developers would be there as well to pool the money for the Black Box Theatre. Either all the money would go to one developer to actually put it in place or to the Round House Theatre that would build and operate the facility. County Council does not want us coming up with alright you have amenity funds to go toward X but the County got to add more dollars.

Barbara Henry stated that in the scenario just described the developer is building whatever he is building and he has his own public amenity and public space requirements so in addition to that he would get dollars from others developers to do his plus this.

Charles Atwell stated that he would hope that Park and Planning Staff would act as conduit as you work through this process because it is very interesting and provocative for downtown Silver Spring and whatever the protocol is will be consistent among all four Central Business District. So if you are going to put them in the Sector Plan in Bethesda and you come up with a community involvement and input process that is included in the Sector Plan that you be consistent among all the Business District so there is not one methodology in Bethesda and another in Silver Spring. As this Committee grows the understanding of Park and Planning role within the Urban District in the Master Plan, Sector Plan, overlays and those kinds of things are important to the Urban District if we are going to do a good job in advising the County Executive and County Council that folks have an understanding of the Parking and Planning piece and perhaps this is a part of an orientation process for the Committee and understanding the overlays and how it got to be a Ripley District and what is the Ripley District so I think you all could contribute to our effectiveness.

Marketing and Special Events

Susan Hoffmann reported that:

- Things are hopping and there are lots of events going on in downtown Silver Spring.
- The new Dinning Guide is out and we are thrilled with it. In the back of the dining guide is a form where you can do a written review of your own so if there is a restaurant in particular you would like us to know about or have comments about please feel free to fill the form out and send it back to us.
- Our website continues to do well and here is a handout of our most recent statistic on visits. We have now broken the 600 mark nearly every day and it drops over the weekend because people have already made plans but on Friday and Monday it is busy again. We are working on a generic piece about the Central Business District which will also promote the website.
- Gary Stith stated that we get a lot of hits for residential project and City Place Mall under a variety of different terms.

Charles Atwell asked if visitor to the website are typing in www.downtownsilverspring.com

Gary Stith stated most of the visits come direct to our web address and we get about 150 a week from going through www.silversprung.com. There is a link from our site to the County website, Silver Sprung, and Silver Spring WIFI.com which immediately brings you to the new website and links back to them. We feel that this is becoming an effective marketing tool and the trend is continuing to get more visits every week. We are working with Auras Design to do some marketing materials specifically for the website.

Charles Atwell asked if there was anything on the Van Go or Ride-On that advertises the new website.

Gary Stith responded no not on the Van Go but the website is on our information booth and all printed materials such as the Dining Guide and we have reprinted the Van Go and the Urban District palm cards and they have the new web address on it so we are advertising but are not done yet. Gary Stith stated they would talk with transit services about advertising the website on the Van Go

Parking – PLD Financial Capacity

Heidi Metzger reported that:

The first page of the handout is the cash flow model and this is currently what Council has approved for the FY07 budget and these are the OMB projections for fiscal years 08-12. On line 63 the general purpose account balance for FY08 through FY11 we are not meeting the 50% target which is a County policy guideline and technically that should be at 50%. Go to line 45 the Urban District transfer in FY 8-12 it jumps up pretty high and this is just an estimate and based on the estimates for the Urban District fund and what they would need and since the general fund contribution remains flat the difference is made up by the Parking District this is based on maintaining the fund balance of the Urban District. TMD on the next line are transfers to mass transit usually in the other Parking District we do a transfer of parking fine revenue

which is \$25.00 each ticket collected and we also do a transfer to the Transportation Management District fund, the fare share program and other things like that. We don't have any transfer's programmed to mass transit at all.

Even now with things the way they are we are just getting by and not in great shape. This does not include the issue of whether the Silver Spring Parking District needs to payback the bond funding for the two garages that were built in the redevelopment and with principal and interest it is almost 80 million dollars for the two garages and that has never been included in any of these scenarios.

Barbara Henry asked if in addition to the \$80 million dollars, do we owe some other sort of debt over and above that for general revenues over the last however many years?

Heidi Metzger responded that the \$80 million is just the bonds. We are having a meeting next week. I have created a reconciliation that incorporates all those things because there are a lot of outstanding issues because the general fund owes the Parking District money for land and transfers that were made to the Parking District and there is also the Parking District funding the Urban District so there are a lot of transfers back and forth. So we have to meet with the Office of Finance and OMB to try and work out exactly how much is owed and whether there is going to have to be a payback.

Barbara Henry asked if there is an opportunity for the Committee to influence the decision because it seems we are digging this hole deeper know matter what is done.

Gary Stith responded that the policy decision is ultimately the County Council's.

Heidi Metzger continued:

On the second page of the hand out there are a couple of projects that are pending that are going to happen but not reflected in the cash flow on the first page. The first is Lot 16 redevelopment that is in the works and definitely will happen. We did put a place in the OMB model and it is listed on line 37 as extraordinary expenses and we put in 3.2 million dollars because we knew it would happen but it is not in our CIP yet. Currently we have a surface lot with 60 spaces and the project involves land that Parking Lot is on being sold to the developer who will do a residential project and construct a below grade parking garage and we would get 200 public parking spaces from that so the 3.2 million is the difference between the construct cost of the garage and the sale of the land so the net cost to us would be about 3.2 million for 200 spaces which is a bargain.

The garage 5 renovation and this is the older section of the garage 5/55 which recently we found that we are going to have to replace the parking decks because they are damaged and the concrete is deteriorating and this was not reflected in OMB's projection and we don't have a CIP project for that.

Gary Stith stated from his understanding that they would start this fiscal year and do the ramps taking money from some other projects in order to have the ramps done before the interim operating facility for the transit center opens up. They would then go back and use the money in January 2008 to do portions of the decks so the garage can remain open.

Tom Collins stated that in January 2008 the transit center construction will still be going on so can't there be different timing on this. Will it take a year to complete and how much equipment do they need? Plus you are losing spaces because of the kiss and ride and cab area so again can't the timing of this be difference.

Gary Stith responded that this is a discussion we need to have with Rick Siebert, DPWT at the next Committee meeting.

Heidi Metzger continued:

The 3rd page scenario two incorporates Lot 16 and Garage 5 renovation so as you can see we still have a positive fund balance although we are below the 50% target and the general purpose account actually goes negative but the reserve accounts are still positive so overall we still have a positive cash balance.

On the 2nd page there are future projects that may be coming up. Garage 7 Phase 2 we would like to do that at some point because we need more parking there. This garage was originally designed to be expanded and add 200 spaces and we really need the extra spaces but we don't have the cost estimate. Lot 3 redevelopment is currently under review and we don't have any cost information on that.

As you can see, to be able to continue to do the things needed we will have to come up with ideas to generate additional revenue and we definitely need to resolve the issue of the MEDCO bonds.

Gary Stith stated there are a variety of options that could be taken. One you could look to see if the debt for the MEDCO bonds could be forgiven or deferred, which I think could be justified as saying that this is a part of the redevelopment cost and the County should just eat that and not expect the PLD to cover it. Those garages because of the contractual limitation of when you can charge and how much you can charge they don't make money and those are very expensive garages to operate because of the type operations and that they are friendly to retail users. Basically they don't break even they are not contributing to paying off the debt they are just barely covering operating cost so that is another reason why I don't think that debt should be put back on the PLD.

Beyond that these four projects listed here are just the tip of the iceberg because you have South Silver Spring going like gang busters the potential to add on to the garage across from DCTC and people down there are having a fit about the lack of parking in that area so even with the 200 spaces in Lot 16 the analysis that was done shows that this expansion is needed and if you discount the NOAA Garage then there is even a bigger reason why you need to expand that garage and that is not on this list.

Also Garage 4 which either needs to be torn down or refurbished somehow which is not on the list and if there is any new development occurring anywhere you will have to deal with that. Recently Council added the northwest quadrant of downtown back into the PLD which is the area north of Colesville and the other side of the railroad tracks and if that area is developed I don't know where you would put parking and even if you could figure out where to put parking

the financial capacity is not here to build parking for that area. Basically there is a lot of growth that will be coming in the next few years and we don't have any financial capacity for parking so we will end up like Bethesda or worst in terms of parking problems.

Barbara Henry stated that one concerns to her was the RST project and if the bottom does fall out of that market how long can they sit on that property and that also means that those 200 spaces will not get built so given that scenario what can we do Advisory group.

Gary Stith stated that if the Committee has a concern about the future fiscal capacity of the PLD in Silver Spring it would be helpful if you raised this concern not only with the County Council, but with OMB and Finance. OMB and Finance seem to be focused on the fiscal health of the general fund and do not seem to be too worried about the obligation of the PLD and the fiscal capacity of it. So I suggest that the Urban District Advisory Committee write a spirited letter to the County Executive and County Council raising your concerns.

Tom Collins stated that the numbers on line 60 go down from this year and it seems like the reason why this year is as high is because the item indicated on line 23 extraordinary so is this from the sale of land

Heidi Metzger responded that it was from the sale of Lot 1 which is the Ellsworth Condos. All of these projection change because in November and February we update the property tax assessment, investment in common and revenue projections.

Gary Stith stated the good news is the assessed evaluations are going up, revenues from people using the facilities are going up because of more usage and we have a very low vacancy rate so therefore they are generating quiet a bit of income compared to previously.

Tom Collins asked if the development of Lot 3 includes the sale of the Lot and is that a one time revenue game.

Gary Stith responded yes but because of the requirement that there are 350 spaces the public space can be incorporated into that project and would actually be a net cost. The value of the land will not buy you 350 spaces.

Tom Collins asked about the projection on the increase of the revenue and what is that based on and why is the projection up \$30,000 dollars for next fiscal year and \$60,300 the following year could that be a short fall and would there be some surprise there.

Heidi Metzger responded that actually the fees and fines go up 1% each year and that's how we estimate revenues.

Tom Collins stated that if you look at FY05-FY06 it went up more than you projected on a yearly bases going forward.

Heidi Metzger responded that in FY06 when we started out the year it was higher than that but we found as we monitored the revenues throughout the year and made updated projections we

found we were not getting as much revenue as we thought so I think for the FY06 estimate we reduced the original.

Gary Stith stated that we need the profile of this issue raised.

Bob Middleton stated that the Committee could make a recommendation and considered at another time.

Motion: (Henry, Atwell) that the Silver Spring Urban District raise the profile of this issue sending a letter to County Executive and Finance. (See informational material for finalized letter)

Election of Chair

The Silver Spring Urban District unanimously agreed to elect Genny Hardesty as the new Chair of the Committee.

Birchmere

Alan Friedman gave a brief presentation on the Birchmere as follows:

- I represent a citizens group named Silver Spring Forward and our goal is the economic revitalization of Silver Spring and we are now focused on the Birchmere issue.
- What we have done so far is launch our website in March 2006 and in two months we capture over 1,000 messages of support the response has been truly amazing and very strong support on this issue. We also asked key officials and candidates for position statements for example we received very strong statements from both Steve Silverman and Ike Leggett in support of the project.
- We have collected a great deal of information on this issue. The Silver Spring Citizens Advisory Board recently passed a Resolution in support of the Birchmere and joined us in partnership on this issue and we continue to engage policy makers and candidates. The issue is about 6 million dollars of public funds and based on our close look at this issue we strongly believe that the key to making this project happen is substantial contributions from the State and ideally it would be 50/50. We know that the Governor has already offered some money for the project and it only represents about 5% but he did indicate that this was not his final offer. We have position statement from Doug Duncan and Martin O'Malley and there is strong reason to believe if either were elected they would strongly support this issue. For example Martin O'Malley wrote to us stating he would lend a helping hand. As Tom Perez stated "what is really important in this election year is for the citizens, business community and Advisory groups to express support". I am here today to ask this Committee for support of the Birchmere

Charles Atwell stated unfortunately we don't have the qualified number of members to take a vote but I would request that we forward a motion by e-mail to our colleagues and ask for their approval of a motion in support of Silver Spring Forward and the Birchmere project. Motion 2nd by Bob Middleton.

Action

Gary Stith to draft a letter for the Silver Spring Urban District Advisory Committee in support of the Birchmere. (See finalized letter in Informational Section of packet)

Urban District Report

Jerry Sanford reported that:

- The staff is busy we got our zone planting in, last week we had the unveiling of the under pass project and it turned out to be excellent.
- Basically we divide the Urban District into five zones for patrolling and special projects and that is what is indicated on the first page of the handout and the second page is an overview of our organization and how we are deployed with the five different shifts that we have. The third page is broken down by the hour and how we have our staff spread out. As I have mentioned previously besides upgrading the staff and getting more qualified staffing, we ended up stretching the staff out as far as coverage we did not provide seven day a week coverage and we were not working to midnight everyday and that is what we have done in the last couple of years we have stretched the work out to 7 days a week coverage 18 hours a day. For us it is noticeable in that before when we did not have maintenance people working at night the following morning we had a lot of maintenance issue to catch up on overflowing trash cans, litter and I think it is indicative of how things have changed in the community because when I started three years ago you turned the light out at 5:00 and you left but now our evening shift is just as important as our morning and daytime shift. We provide services for our four main shifts which are four 10 hour days either Sunday through Wednesday or Wednesday through Saturday and Wednesday is our overlap day to provide for staff training, meetings and any other special projects where we need additional staff.
- We have a total of 28 staff, 12 Safety position and 16 Maintenance. I am hoping to ask for some additional safety position in the upcoming fiscal year if we can. But we did get approval for additional staffing for the Silver Spring Transit Center interim operating facility and that funding becomes available April 2007 and will be in the budget for the two years of construction.
- The fourth and fifth pages of the handout are examples of what our Public Service Aides are schedule to do on their patrols. They begin their day with roll call and the supervisor would go over any special projects, events, crime trends or anything of interest. Then they are given assignments for the day whether it is to be in Garage 4 or a particular zone as you can see on the map and they patrol each zone at least once in a day and the remainder of the time they would spend patrolling garages.
- We have flexibility to change the schedule around for instance the day or two before Thanksgiving we will spend more time around Greyhound Bus Station, SILVERDOCS we have additional staff in that area. Because we have upgraded our staff we are dealing with men and women with military experience, college degrees, years of security and customer service experience and they work with the supervisor to work out what their schedule will be for that particular day depending on what we are hearing from the Police Department and businesses If there is a particular crime trend of cars being broken into in the garages between 10 and 2 we will put additional staff there.
- The Optional Method Development properties have offsite amenities that we maintain. There are 12 of those properties in the CBD. Services that we provide

depend on the amenities. The majority of the services are actually provided through our landscape contractor and that is actually the rate that we bill. The annual cost for all of these is over \$55,000.00. I have the actual code that explains what Optional Method Developer is and what gives the County authority to actually bill these property owners for these offsite amenities.

- We have an agreement with State Highway Administration for maintaining highways that are our Gateways.

Gary Stith stated that actually we get more revenues than the \$55,000.00 also we do work for PFA and they pay us \$64,000.00.

Charles Atwell asked if there are any other developers or Optional Method Developer that contract for additional services other than the project?

Jerry Sanford responded no just State Highway Administration.

Gary Stith stated that through our contractors, money is in the Regional Center budget to do some maintenance and cleaning over in Long Branch and that money comes through DHCA. Our staff does not go over there to work but we use our contractors and also maintenance work in Montgomery Hills PLD and Jerry Sanford manages this through our contractors.

Tom Collins asked if DCTC was an Optional Method Development but the Discovery building itself is not.

Gary Stith responded that Discovery is Optional Method but there are no offsite improvements that we maintain that they are responsible for and the trashcans there are standard streetscape elements that we maintain.

Jerry Sanford stated that these are all Silver Spring Optional Method Development properties that the Urban District staff maintains.

Gary Stith stated that if you notice in the definition given it is for offsite amenities for example the new project at 8045 Kennett Street did some offsite improvements on PLD property and they are responsible for maintenance of that so the Urban District maintains it and charge it back to that condominium project. Standard streetscape elements around the project that the project put in and it's in the right-a-way and it is standard elements the Urban District maintains it and don't charge them for that but if a non-standard element and we are asked to maintain it we can charge them for that.

Jerry Sanford stated that when there is a new property manager that takes over the streetscape improvements may not be adjoining the property and it may be a median approaching that property for instance and they will have to pay us for that maintenance.

Jerry Sanford stated that he had spoken to Hines Corporation and he had sent them the code and explained the guidelines and they are okay with it now that they understand why they are getting a bill. In reality the Urban District is not making money it is more a thing of covering the cost of these services.

Director Report

Gary Stith reported that

- The handout is information about the ULI panel. We have scheduled September 26 and 27 for the panel. The Committee's involvement on the 26th would be in the late afternoon working with us in terms of briefing them as primary stakeholders and the next evening there will be a summary of their recommendations based on the work they do on the 2nd day so we will giving you more details. The second page of the handout is the draft of the questions we want them to address so please look them over and if you have any suggestions let me know as soon as possible because based on these questions they will go out and find people with the expertise to invite to be on the panel and they have already started the process for looking for those people but they don't want to finalized that until we have all agreed on what the questions will be.

Tom Collins asked if the deliverable from the ULI group would be a PowerPoint presentation.

Gary Stith responded that after the 2nd evening they will do written a report that will be published and the Committee will have copies of the report and it will be in much more detail then just the PowerPoint and will come six to eight weeks after. City Place will be invited to participate. We are currently working on all the logistics for this. Most of the group is fairly local so we won't pay for lodging. We do pay for a bus to do a tour of downtown Silver Spring and meals.

- Fire Station is having a dedication on July 23rd and we will send out an e-mail announcement.
- United Therapeutics is having there grand opening for their Lab Building on July 26th at 5:00 p.m.
- Thanks to Bob Middleton and Anne Miller for helping with the Silver Spring Urban District Advisory Committees interviews for new members. The recommendations have been forwarded to the County Executive Office so we should be up to full compliment based on that.
- Charles Atwell's position does not end until June 2007 so they will not have someone from the Citizens Advisory appointed to this group because we don't want to put you off the Board.
- The billboards in Long Branch where removed in May and that was according to the schedule that was agreed to contractually and the remaining billboards in downtown have to be removed by May of 2007.
- Tonight at AFI at 6:15 p.m. Director Martin Scorsese will unveil his star which will be the first star of three we will install this summer for achievement awards and it is being called the AFI Life Achievement Star Walk and this is right in front of AFI and have worked with the landscaping architect who design the sidewalk and had all that stuff to create a layout of where the stars would be located. There will be 120 stars eventually and so far there has been about 35 Life Achievement Awards.
- Easter Seals is going to break ground at their facility on Second Avenue on July 31.

5:45 p.m. meeting adjourned